

**Remarks**

Claims 1-28 are pending in the application.

Claims 24 and 26-27 are rejected under 35 U.S.C. 102(e) as being anticipated by Li et al. (US 2007/0086337, hereinafter Li).

Claims 1, 5-9, 11-12 and 18 are rejected under 35 U.S.C. §103(a) as being unpatentable over Brian Scott Messenger (US 2003/0231630, hereinafter Messenger) in view of Hebb et al. (US 6,587,463, hereinafter Hebb) and Kadambi et al. (US 6,707,817, hereinafter Kadambi).

Claim 2 is rejected under 35 U.S.C. §103(a) as being unpatentable over Messenger in view of Hebb and Kadambi as applied to claim 1 and further in view of Nevin Chaddha (US 6,154,572, hereinafter Chaddha).

Claim 3 is rejected under 35 U.S.C. §103(a) as being unpatentable over Messenger in view of Hebb and Kadambi and further in view of Chaddha as applied to claim 2 and further in view of Toshiya Takahashi (US 6,633,592, hereinafter Takashi).

Claim 10 is rejected under 35 U.S.C. §103(a) as being unpatentable over Messenger in view of Hebb and Kadambi as applied to claim 1 and further in view of Michael Robert Morford (US 7,324,447, hereinafter Morford).

Claim 14 is rejected under 35 U.S.C. §103(a) as being unpatentable over Messenger in view of Hebb and Kadambi further in view of Chaddha further in view of Takahashi as applied to claim 13 and further in view of Henderson et al. (US 5,726,979, hereinafter Henderson).

Claim 15 is rejected under 35 U.S.C. §103(a) as being unpatentable over Messenger in view of Hebb and Kadambi further in view of Chaddha further in view of Takahashi as applied to claim 13 and further in view of Henderson and Jacobson et al. (US 6,426,959, hereinafter Jacobson).

Claim 16 is rejected under 35 U.S.C. §103(a) as being unpatentable over Messenger in view of Hebb and Kadambi further in view of Chaddha further in view of Takahashi further in view of Henderson as applied to claim 14 and further in view of Jacobson et al. (US 6,426,959, hereinafter Jacobson).

Claim 17 is rejected under 35 U.S.C. §103(a) as being unpatentable over Messenger in view of Hebb and Kadambi further in view of Chaddha further in view of Takahashi as applied to claim 13 and further in view of Kobayassi et al. (US 6,333,932, hereinafter Kobayassi).

Claim 19 is rejected under 35 U.S.C. §103(a) as being unpatentable over Messenger in view of Hebb and Kadambi as applied to claim 1 and further in view of Caldara et al. (US 5,748,629, hereinafter Caldara) and Takahashi.

Claim 20 is rejected under 35 U.S.C. §103(a) as being unpatentable over Messenger in view of Hebb and Kadambi as applied to claim 11 and further in view of Moshe Stark (US 2003/0191740, hereinafter Stark).

Claims 21-23 are rejected under 35 U.S.C. §103(a) as being unpatentable over Messenger in view of Kadambi, Chaddha, Takahashi and Hebb.

Claims 24-27 are rejected under 35 U.S.C. §103(a) as being unpatentable over Messenger in view of Kadambi, Chaddha, Takahashi, Hebb and Henderson.

Claim 28 is rejected under 35 U.S.C. 103(a) as being unpatentable over Messenger in view of Hebb and Kadambi.

The Examiner has failed to provide a rejection of claims 3, 4, and 13. Since claims 3, 4, and 13 each depend indirectly from claim 1, and claim 1 is allowable at least for the reasons provided herein, Applicants respectfully submit that claims 3, 4, and 13 are also allowable.

Each of the various rejections and objections are overcome by amendments that are made to the specification, drawing, and/or claims, as well as, or in the alternative, by various arguments that are presented.

Any amendments to any claim for reasons other than as expressly recited herein as being for the purpose of distinguishing such claim from known prior art are not being made with an intent to change in any way the literal scope of such claims or the range of equivalents for such claims. They are being made simply to present language that is better in conformance with the form requirements of Title 35 of the United States Code or simply is clearer and easier to understand than the originally presented language. Any amendments to any claim expressly made in order to distinguish such claim from known prior art are being made only with an intent to change the literal scope of such claim in

the most minimal way, i.e., simply to avoid the prior art in a way that leaves the claim novel and not obvious in view of the cited prior art, and no equivalent of any subject matter remaining in the claim is intended to be surrendered.

Also, because a dependent claim inherently includes the recitations of the claim or chain of claims from which it depends, it is submitted that the scope and content of any dependent claims that have been herein rewritten in independent form is exactly the same as the scope and content of those claims prior to having been rewritten in independent form. That is, although by convention such rewritten claims are labeled herein as having been "amended," it is submitted that only the format, and not the content, of these claims has been changed. This is true whether a dependent claim has been rewritten to expressly include the limitations of those claims on which it formerly depended or whether an independent claim has been rewritten to include the limitations of claims that previously depended from it. Thus, by such rewriting no equivalent of any subject matter of the original dependent claim is intended to be surrendered. If the Examiner is of a different view, he is respectfully requested to so indicate.

#### **Rejection Under 35 U.S.C. §102**

Claims 24 and 26-27 are rejected under 35 U.S.C. 102(e) as being anticipated by Li. The rejection is traversed.

In the Office Action, the Examiner indicated that claim 25 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicants have herein amended claim 25 to rewrite claim 25 in independent form including all of the limitations of base claim 24 from which claim 25 depended.

Li fails to teach or suggest Applicants' claim 25, as amended.

As such, independent claim 25 is not anticipated by Li and is patentable under 35 U.S.C. 102. Furthermore, since all of the dependent claims that depend from the independent claim include all the limitations of the independent claim from which they ultimately depend, each such dependent claim is also allowable over Li.

As such, the Examiner is respectfully requested to withdraw the rejection.

**Allowable Subject Matter**

Applicants thank the Examiner for the allowance of Claims 1-23 and 28.

Claim 25 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicants thank the Examiner for indicating allowability with respect to claim 25. Applicants have herein amended claim 25 to rewrite claim 25 in independent form including all of the limitations of base claim 24 from which claim 25 depended. As such, Applicants submit that all claims are now in condition for allowance.

**Conclusion**

It is respectfully submitted that the Office Action's rejections have been overcome and that this application is now in condition for allowance. Reconsideration and allowance are, therefore, respectfully solicited.

If, however, the Examiner still believes that there are unresolved issues, the Examiner is invited to call Eamon Wall at (732) 842-8110 so that arrangements may be made to discuss and resolve any such issues.

Respectfully submitted,

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